

MINUTES

of the
Ordinary Meeting of Council

held remotely using audio visual link

on

Wednesday 10 June 2020

The meeting commenced at 3.30pm

MINUTES OF THE ORDINARY MEETING OF COUNCIL

Wednesday 10 June 2020



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**MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL
HELD REMOTELY USING AUDIO VISUAL LINK AND OPEN TO MEMBERS OF THE
COMMUNITY VIA WEBCAST ON WEDNESDAY 10 JUNE 2020 COMMENCING AT
3.30PM**

Present: Clr T D Gair (Mayor)
Clr G J Andrews*
Clr K J Halstead OAM*
Clr G McLaughlin*
Clr P W Nelson*
Clr I M Scandrett*
Clr G M Turland*
Clr L A C Whipper*

In Attendance:	General Manager	Ms Ann Prendergast
	Deputy General Manager Operations, Finance and Risk	Mr Barry W Paull
	Deputy General Manager Corporate Strategy and Development Services	Mr Mark Pepping
	Group Manager Corporate and Community	Ms Danielle Lidgard
	Group Manager Planning, Development and Regulatory Services	Mr Nicholas Wilton*
	Group Manager Capital Projects	Mr Ned Tripkovic
	Chief Financial Officer	Mr Richard Mooney*
	Chief Information Officer	Mr John Crawford
	Asset Coordinator Parks and Buildings	Ms Rachel Forte (in part)
	Administration Officer	Ms Michelle Richardson

NOTE: Due to current government requirements around social distancing due to the COVID-19 pandemic, some Councillors and some staff attended the meeting remotely via zoom audio visual link. This is indicated by *. The Mayor and remaining staff were present in the Council Chambers for this meeting.

1. OPENING OF THE MEETING

The Mayor Clr T D Gair opened the meeting and welcomed members of the public and the press.

2. ACKNOWLEDGEMENT OF COUNTRY

Clr G McLaughlin acknowledged country:

"I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today."

3. PRAYER

The meeting was led in civic prayer by Mayor Clr T D Gair .

4. APOLOGY

PERS

MN 189/20

MOTION moved by Clr G McLaughlin and seconded by Clr L A C Whipper

THAT the apology of Clr Markwart be accepted and leave of absence granted for the period 10 June 2020 to 22 July 2020 (inclusive).

PASSED

5. CONFIRMATION OF MINUTES

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 27 MAY 2020

MN 190/20

MOTION moved by Clr G McLaughlin and seconded by Clr L A C Whipper

THAT the minutes of the Ordinary Meeting of Council held on Wednesday 27 May 2020 MN 157/20 to MN 188/20 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

PASSED

6. DECLARATIONS OF INTEREST

101/3, 101/3.1

That where necessary any Councillor now disclose any interest and the reason for declaring such interest in the matters under consideration by Council at this Meeting and to complete the appropriate form to be handed up at the Meeting.

There were no declarations of interest made at this meeting.

7. MAYORAL MINUTES

Nil.

8. PUBLIC FORUM

There were no public forum speakers at this meeting.

9. VISITOR MATTERS

OPERATIONS FINANCE AND RISK

Nil.

CORPORATE AND STRATEGY

9.1 Section 8.2 Review of Refused DA19/1305 for Temporary Use of Land (Existing Farm Building and Secondary Dwelling) for a Function Centre at 2179 Kangaloon Road, East Kangaloon

Reference:	19/1305.01
Report Author:	Manager Development Assessment
Authoriser:	Deputy General Manager Corporate, Strategy and Development Services
Applicant:	Wildwood Hill Holdings C/O Lee Environmental Planning
Owner:	Mr Keats
Link to Community Strategic Plan:	Provide diversity in tourist attractions and experiences

PURPOSE

The purpose of this report is to consider a s8.2 Review Application in regard to refused DA19/1305 for the Temporary Use of Land for a Function Centre to cater for up to thirty (30) functions per year including up to 50 guests per function for three (3) years at 2179 Kangaloon Road, East Kangaloon.

This report is prepared for determination, and recommends **REFUSAL**, for reasons detailed at **Attachment 1** of this report.

Mr Scott Lee addressed Council on this item.

The Group Manager Planning Development and Regulatory Services addressed Council on this item.

The General Manager left the meeting, the time being 3.56pm

The General Manager returned to the meeting, the time being 3.57pm

VOTING ON THE MOTION

Councillors are required to record their votes on this matter.

MOTION moved by Deputy Mayor G M Turland and seconded by Cllr I M Scandrett

1. **THAT** the application for Approval be DEFERRED subject to the submission of information to the satisfaction of key issues including:

Food Handling – plans to be amended to include details of the location of a hand-wash basin supplied with hot water through a mixer spout connected to a hot water system;

BCA / NCC matters - Provide a BCA Audit / Assessment Report prepared by an A1 Accredited Certifier that includes the proposed change of use of the ground floor portion of the building for function / dining events. The Report shall include the following (but not limited to):

- a) *Identify all existing non-compliances with the 'Deemed-to-Satisfy' (DTS) provisions of NCC 2019 for the proposed use of the building as a secondary dwelling to the first floor and for a function / dining room to the ground floor,*
- b) *Propose an upgrade strategy to bring the building into compliance with either the DTS provisions or Performance Requirements of NCC 2019 (in relation to NCC Parts C, D, E and F including the provision of access for people with a disability and the provision of sanitary facilities),*

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Due to the change in classification and increase in occupant population, the existing building will be required to be upgraded to comply with the current BCA/NCC and afforded with the appropriate measures to ensure compliance for the intended occupant population;

If a performance solution to the “deemed to satisfy” provisions of National Construction Code is proposed, the following details must be lodged:

- *Performance requirements that the alternative solution intends to meet.*
- *Assessment methods used to determine compliance with the performance requirements, including if and how each performance objective impacts on other requirements of the BCA; and*
- *A statement about the person who prepared the performance solution, indicating qualifications, experience, insurance details, and membership of an approved accreditation body.*

Provide evidence by way of installation photographs and certification from the installer of the wastewater system that all measures in accordance with the Harris Environmental Consulting Report, ref: 2179ww, dated; 27.08.2017 have been satisfactorily completed

2. **THAT** delegation be given to the General Manager to prepare and issue a Development Consent for a maximum of three years subject to the matters in 1. above being complied with to the satisfaction of Council Officers.

LOST

MN 191/20

AMENDMENT moved by Clr G McLaughlin and seconded by Clr P W Nelson

THAT this s8.2 Review application in regard to the refused DA19/1305 for a proposed Temporary Use of Land for a Function Centre for up to thirty (30) functions per year at Lot 2 DP 10777400 known as No. 2179 Kangaloon Road, East Kangaloon be REFUSED subject to conditions as described in Attachment 1 to this report.

AMENDMENT PASSED

VOTING ON THE AMENDMENT

For the amendment: Mayor Clr T D Gair, Clr K J Halstead OAM, Clr G McLaughlin and Clr L A C Whipper

Against the amendment: Clr G J Andrews, Clr P W Nelson, Clr I M Scandrett and Deputy Mayor G M Turland

ON BEING PUT TO THE MEETING VOTING ON THE AMENDMENT WAS TIED AT FOUR VOTES ALL, THEREFORE MAYOR GAIR USED HIS CASTING VOTE ON THE AMENDMENT IN THE AFFIRMATIVE AMENDMENT BECAME THE MOTION, MOTION WAS PASSED

VOTING ON THE MOTION

For the motion: Mayor Clr T D Gair, Clr K J Halstead OAM, Clr G McLaughlin, Clr P W Nelson and Clr L A C Whipper

Against the motion: Clr G J Andrews, Clr I M Scandrett and Deputy Mayor G M Turland

10. EN BLOC MOTION

There was no En Bloc Motion at this Meeting.

11. OPERATIONS FINANCE AND RISK

11.1 Mt Gibraltar Property Matters - Status Update

Reference:	PN 1797440
Report Author:	Coordinator Property Services
Authoriser:	Chief Financial Officer
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to provide an update to Council on the range of property matters relating to the Mt Gibraltar Heritage Reserve and for Council to reaffirm its ongoing commitment to resolving these matters on behalf of key stakeholder groups such as the Mount Gibraltar Landcare and Bushcare Group and the broader community.

MN 192/20

MOTION moved by Clr L A C Whipper and seconded by Clr G McLaughlin

- 1. THAT Council formally lodge an application with NSW Department of Planning, Industry and Environment – Crown Lands to be appointed as Reserve Trust Manager of Crown Reserve 83436 being Lot 2 in DP 169019, Lots 1- 6 DP 259828, Lot 32 DP771155, Lot 1 DP 784884 (Joshua Stokes Reserve), Lot 2 DP 1118702, Lot 2 DP 1174086).***
- 2. THAT Council acknowledge the complexity of the property matters which are delaying the consolidation of the Mount Gibraltar Heritage Reserve AND THAT Council reaffirm its commitment to resolving these matters on behalf of key stakeholder groups such as the Mount Gibraltar Landcare and Bushcare Group, and the broader community.***
- 3. THAT Council staff continue to meet with members of the Mount Gibraltar Landcare and Bushcare Group on a six monthly basis to ensure the Group are kept informed on the progress of resolving the matters in relation to the overall consolidation of the Mount Gibraltar Heritage Reserve.***

PASSED

11.2 Lease to Optus Mobile Pty Limited, Mt Gibraltar Radio Facility, Part 22 Oxley Drive, Bowral

Reference:	PN 1704893
Report Author:	Coordinator Property Services
Authoriser:	Chief Financial Officer
Link to Community	
Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to obtain formal approval to enter into a new Lease with Optus Mobile Pty Limited for its continued occupation of Council property known as Mt Gibraltar Telecommunications Tower located at 232 Oxley Drive, Bowral for a period of five (5) years.

MN 193/20

MOTION moved by Clr P W Nelson and seconded by Clr K J Halstead OAM

1. **THAT** a new Lease be offered to Optus Mobile Pty Limited for part of the Council property known as Mt Gibraltar Telecommunications Tower, 232 Oxley Drive, Bowral being part Lot 21 in Deposited Plan 856512 to Optus Mobile Pty Limited for a term of five (5) years.
2. **THAT** the Mayor and General Manager be delegated authority to execute the Lease under the Common Seal of Council.

PASSED

11.3 Renewal of Existing Licence Agreements - Mt Gibraltar Telecommunications Facility - 232 Oxley Drive Bowral

Reference:	PN 1704893
Report Author:	Coordinator Property Services
Authoriser:	Chief Financial Officer
Link to Community	
Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to seek Council approval for the issue of new Licence Agreements for access to the Mt Gibraltar Telecommunications facility at 232 Oxley Drive Bowral for existing users where expired agreements require renewal.

MN 194/20

MOTION moved by Cllr I M Scandrett and seconded by Cllr P W Nelson

- 1. THAT Licence Agreements be entered into by Council with respect to the use of the Mount Gibraltar Telecommunications facility at 232 Oxley Drive Bowral with each of the following Licensees for a term of five (5) years:***
 - Southern Highlands Taxis*
 - Ambulance Service of NSW*
 - Berrima Coaches (Berrima Buslines)*
 - Music FM (Formally 2WYR Youth Radio)*
 - Metwide Communications*
 - NSW Volunteer Rescue Association*
- 2. THAT the General Manager be delegated authority to negotiate agreements relating to the renewal of existing Licence Agreements for access to the Mount Gibraltar Telecommunications facility referred to in resolution 1 above.***
- 3. THAT the Mayor and General Manager be delegated the authority to execute the Licence Agreements under the Common Seal of Council relating to the renewal of the Licence Agreements for access to the Mount Gibraltar Telecommunications facility referred to in resolution 1 above.***

PASSED

11.4 Planning Proposal to Reclassify Lot 1 DP 1246504, 7-11 Burgess Street, Bundanoon

Reference:	PN 1820130
Report Author:	Coordinator Property Services
Authoriser:	Chief Financial Officer
Link to Community	
Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to seek Council approval to proceed with a Planning Proposal to reclassify Lot 1 DP 1246504 being Council owned property at part 7-11 Burgess Street Bundanoon from 'Community' Land to 'Operational' Land. The purpose of the reclassification is to provide consistency with surrounding Council owned property.

The Chief Financial Officer addressed Council on this item.

VOTING ON THE MOTION

Councillors are required to record their votes on this matter.

MN 195/20

MOTION moved by Clr I M Scandrett and seconded by Clr G McLaughlin

THAT a Planning Proposal be prepared and submitted to the NSW Department of Planning Industry and Environment for a Gateway Determination to reclassify Lot 1 DP 1246504, part 7-11 Burgess Street Bundanoon, from Community to Operational.

PASSED

VOTING ON THE MOTION

For the motion: Clr G J Andrews, Mayor Clr T D Gair, Clr K J Halstead OAM, Clr G McLaughlin, Clr P W Nelson, Clr I M Scandrett, Deputy Mayor G M Turland and Clr L A C Whipper

Against the motion: Nil.

11.5 Draft Public Memorials Policy and Public Memorials Policy Guidelines

Reference:	7150/1
Report Author:	Senior Asset Officer Parks and Building
Authoriser:	Manager Assets
Link to Community	
Strategic Plan:	Create welcoming and accessible community facilities that support opportunities for people to meet and connect with one another

PURPOSE

The purpose of this report is to advise Council of the proposed draft Public Memorials Policy and Public Memorials Policy Guidelines (the “Draft Policy and Guidelines”), and to seek approval for the Draft Policy and Guidelines to be placed on public exhibition with the community invited to provide feedback and comments.

MN 196/20

MOTION moved by Clr L A C Whipper and seconded by Clr G J Andrews

1. **THAT** the Draft Policy and Guidelines be endorsed for public exhibition for a period of twenty eight (28) days.
2. **THAT** the Draft Policy and Guidelines be submitted to Council for adoption following public exhibition.

PASSED

11.6 Public Exhibition of Draft Playspace Strategy

Reference:	6500
Report Author:	Project Officer
Authoriser:	Deputy General Manager Operations, Finance and Risk
Link to Community	
Strategic Plan:	Increase promotion of healthy lifestyle choices

PURPOSE

To seek approval for the Draft Playground Strategy to be placed on public exhibition with the community invited to provide feedback and comments.

The Asset Coordinator Parks and Buildings addressed Council on this item.

The General Manager left the meeting, the time being 4.19pm

MN 197/20

MOTION moved by Clr G J Andrews and seconded by Clr L A C Whipper

1. **THAT** the Draft Playspace Strategy be endorsed for public exhibition for a period of twenty eight (28) days.
2. **THAT** the Draft Playspace Strategy incorporating community submissions be submitted to Council for adoption following the public exhibition.

PASSED

12. CORPORATE STRATEGY AND DEVELOPMENT SERVICES

12.1 Development Applications Determined from 28 April 2020 to 25 May 2020

Reference:	5302
Report Author:	Team Leader Business Support
Authoriser:	Group Manager Planning, Development and Regulatory Services
Link to Community	
Strategic Plan:	Promote building practices and the types of developments that improve resource efficiency

PURPOSE

The purpose of this report is to update Councillors on Development Applications Determined for the period 28 April 2020 to 25 May 2020.

The Group Manager Planning, Development and Regulatory Services addressed Council on this item.

MN 198/20

MOTION moved by Clr G McLaughlin and seconded by Clr P W Nelson

THAT the information relating to the lists of Development Applications Determined for the period 28 April 2020 to 25 May 2020 be received and noted.

PASSED

12.2 Development Applications Received from 28 April 2020 to 25 May 2020

Reference:	5302
Report Author:	Team Leader Business Support
Authoriser:	Group Manager Planning, Development and Regulatory Services
Link to Community Strategic Plan:	Open and effective communication methods and technology are utilised to share information about Council plans, intentions, actions and progress

PURPOSE

The purpose of this report is to update Councillors on Development Applications Determined for the period 28 April 2020 to 25 May 2020.

MN 199/20

MOTION moved by Clr I M Scandrett and seconded by Clr L A C Whipper

1. **THAT** the information relating to Development Applications Received from 28 April 2020 to 25 May 2020 be received and noted.
2. **THAT** the following Items be included for information in the Weekly Circular:
 - 36 - 16/0009.07 Clear Hills 230 Medway Road Medway NSW 2577 Lot 12 DP 1245786;
and
 - 42 - 20/1319 Arabel 475 Old South Road Mittagong NSW 2575 Lot 1 DP 751282 Lot 2 DP 707944.

PASSED

12.3 Planning Proposal to Rezone and Reduce the Minimum Lot Size of 50A Bulwer Road, Moss Vale

Reference:	PN 1786790
Report Author:	Senior Strategic Land Use Planner
Authoriser:	Group Manager Planning, Development and Regulatory Services
Link to Community Strategic Plan:	Provide a mixture of housing types that allow residents to meet their housing needs at different stages of their lives and support affordable living

PURPOSE

The purpose of this report is to enable Council to consider a Planning Proposal to amend WLEP 2010 to rezone and reduce the minimum lot size for a site in the north-west of Moss Vale, in order to permit rural residential development.

The General Manager returned to the meeting, the time being 4.29pm

VOTING ON THE MOTION

Councillors are required to record their votes on this matter.

MN 200/20

MOTION moved by Deputy Mayor G M Turland and seconded by Clr G McLaughlin

THAT a Planning Proposal be prepared and submitted to the NSW Department of Planning, Industry & Environment for a Gateway Determination to rezone Lots 8-10 Sec F DP 2810, 50A Bulwer Road, Moss Vale currently zoned RU2 Rural Landscape, to E4 Environmental Living and apply a minimum lot size of 2 hectares, in accordance with the North-West Moss Vale study area adopted by Council in its Ordinary meeting of 12 December 2018.

PASSED

VOTING ON THE MOTION

For the motion: Clr G J Andrews, Mayor Clr T D Gair, Clr K J Halstead OAM, Clr G McLaughlin, Clr P W Nelson, Clr I M Scandrett, Deputy Mayor G M Turland and Clr L A C Whipper

Against the motion: Nil

12.4 Demolition of Fire Damaged Dwelling & Construction of a New Dwelling at 587A Argyle Street Moss Vale

Reference:	52800 20/0838
Report Author:	Accredited Certifier
Authoriser:	
Applicant:	Scott Du-Mughn & Jessica Parker
Owner:	Scott Du-Mughn & Jessica Parker
Link to Community Strategic Plan:	Identify and protect the unique characteristics of towns and villages to retain a sense of place

PURPOSE

The purpose of this report is to consider Development Application 20/0838, which seeks consent for the demolition of the existing fire damaged semi-detached Dwelling House at 587A Argyle Street, Moss Vale. The subject application has been called up by Council for determination, consequently this report is prepared and recommends APPROVAL.

VOTING ON THE MOTION

Councillors are required to record their votes on this matter.

MN 201/20

MOTION moved by Clr G McLaughlin and seconded by Clr P W Nelson

THAT development application 20/0838 for the proposed demolition of the existing fire damaged Dwelling House and construction of a new dwelling at Lot 1 DP 209719, No 587A Argyle Street, Moss Vale be APPROVED subject to conditions as described in Attachment 1 to the report.

PASSED

VOTING ON THE MOTION

For the motion: Clr G J Andrews, Mayor Clr T D Gair, Clr K J Halstead OAM, Clr G McLaughlin, Clr P W Nelson, Clr I M Scandrett, Deputy Mayor G M Turland and Clr L A C Whipper

Against the motion: Nil.

12.5 Draft Committee Manual 2016-2021

Reference:	107/4
Report Author:	Coordinator Corporate Strategy and Governance
Authoriser:	Group Manager Corporate and Community
Link to Community	
Strategic Plan:	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

PURPOSE

The purpose of this report is to seek adoption of the draft Committee Manual 2016-2021 at **Attachment 1** (the Committee Manual).

MN 202/20

MOTION moved by *Clr L A C Whipper* and seconded by *Clr P W Nelson*

THAT Council adopt the Committee Manual 2016-2021 at Attachment 1 to this report.

PASSED

13. GENERAL MANAGER

Nil

14. DELEGATE REPORTS

Nil

15. PETITIONS

Nil

16. COMMITTEE REPORTS

16.1 Minutes of the Finance Committee Meeting held on 20 May 2020

Reference:	107/21
Report Author:	Administration Officer (Meetings)
Authoriser:	Group Manager Corporate and Community
Link to Community	
Strategic Plan:	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

PURPOSE

This report provides the Minutes of the Finance Committee Meeting held on 20 May 2020.

MN 203/20

MOTION moved by Clr G McLaughlin and seconded by Clr G J Andrews

THAT the report be noted.

PASSED

16.2 Management and Advisory Committee Reports

Reference: 107/1
Report Author: Committee Coordinator

PURPOSE

This report provides the Minutes of the following Committee Meetings, copies of which will be tabled:

1. Mittagong Memorial Hall Management Committee held on 5 September 2019.
2. East Bowral Community Centre Management Committee held on 25 June 2019
3. East Bowral Community Centre Management Committee held on 30 April 2019
4. East Bowral Community Centre Management Committee held on 22 October 2019
5. Bong Bong Common Management Committee held on 15 October 2019

MN 204/20

MOTION moved by Clr P W Nelson and seconded by Clr L A C Whipper

THAT the information contained in the following Committee Reports be noted:

1. ***Mittagong Memorial Hall Management Committee held on 5 September 2019.***
2. ***East Bowral Community Centre Management Committee held on 25 June 2019***
3. ***East Bowral Community Centre Management Committee held on 30 April 2019***
4. ***East Bowral Community Centre Management Committee held on 22 October 2019***
5. ***Bong Bong Common Management Committee held on 15 October 2019***

PASSED

17. QUESTIONS WITH NOTICE

17.1 Question with Notice 16/2020 Station Street Alternative Parking at Mittagong

Reference:	101/2 7460/25
Report Author:	Administration Officer (Meetings)
Authoriser:	Group Manager Corporate and Community
Link to Community Strategic Plan:	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

To: General Manager

From: Clr Scandrett

Received: 18 May 2020

Subject: Station Street Alternative Parking at Mittagong

Question:

Could the General Manager advise the cost and break up of providing the alternative parking for Station Street at Mittagong, and the approval process therein.

Response:

The high level estimate for the provision of public car parking adjacent to the Mittagong train station has been based on a preliminary design estimate that considers the number of parking spaces and specific site considerations. Upon the execution of the Station Street Upgrade Heads of Agreement document, further design documentation will be prepared in accordance with Council's capital project process framework.

The Deputy General Manager Operations Finance and Risk addressed Council on this item.

MN 205/20

MOTION moved by Clr P W Nelson and seconded by Clr G McLaughlin

THAT the information in relation to Question with Notice 16 /2020 - Station Street Alternative Parking at Mittagong - be noted **AND THAT** \$1,000,000 has been included in the draft operational plan and budget for 2021.

PASSED

AMENDMENT moved by Clr I M Scandrett and seconded by Deputy Mayor G M Turland

THAT the information in relation to Question with Notice 16 /2020 - Station Street Alternative Parking at Mittagong - be noted **AND THAT** the high level cost estimate is anticipated to be \$1,000,000.

AMENDMENT WITHDRAWN

17.2 Question with Notice 18/2020 Berrima Deviation Project

Reference: 101/2 7810/28
Report Author: Administration Officer (Meetings)
Authoriser: Group Manager Corporate and Community
Link to Community Strategic Plan: An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

To: General Manager
From: Clr Scandrett
Received: 1 June 2020

Subject: Berrima Deviation Project

Question:

Could the Deputy General Manager, Operations, Finance and Risk, provide an update on his previous advice regarding the construction fencing for the Berrima Deviation Project where he advised that the fencing was now “off hire” and now at no cost to Council.

Also could he please advise:

1. Has Council paid any rental since then? How much?
2. If not, please explain why
3. Has Council purchased the fencing:
4. What is the number of fence panels on the site now?

Response:

Council has continued to maintain a minimal fencing perimeter around the Berrima Road site to maintain security to the site access track and tree protection.

As previously advised, the rental arrangement for the perimeter fencing has been on a month to month arrangement at a cost of \$185 per month.

No additional fencing has been purchased.

Council is currently paying for 27 Fencing panels.

The remaining panels around the entire perimeter of the site does not form part of Council’s current hire arrangements.

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MN 206/20

MOTION moved by Clr I M Scandrett and seconded by Clr L A C Whipper

THAT the information in relation to Question with Notice 18/2020 – Berrima Deviation Project - be noted.

PASSED

18. NOTICES OF MOTION

18.1 Notice of Motion 17/2020 - Bowral Memorial Hall

Reference:	100/4 7225/4
Report Author:	Administration Officer (Meetings)
Authoriser:	Group Manager Corporate and Community
Link to Community	
Strategic Plan:	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

PURPOSE

Councillor Scandrett has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 10 June 2020:

MOTION moved by *Clr I M Scandrett and seconded by Deputy Mayor G M Turland*

1. **THAT** Council proceed forthwith with the “shovel ready” renovations of Bowral Memorial Hall whilst it is closed; and
2. **THAT** Council examine opportunities to commence the project as soon as possible.

MN 207/20

AMENDMENT moved by *Clr P W Nelson and seconded by Clr L A C Whipper*

1. **THAT** Council investigate building renovations of the Bowral Memorial Hall once the 2020/2021 Operational Plan is adopted noting that \$3.7M has been allocated in the 2020/21 Operational Plan and Budget which is currently on public exhibition.
2. **THAT** Council congratulate its staff for submitting a successful grant funding application of \$2.8M, over two (2) years, for the Bowral Memorial Hall.

THE AMENDMENT WAS VOTED ON AND WAS PASSED AND BECAME THE MOTION

THE MOTION WAS PASSED

18.2 Notice of Motion 19/2020 Local Housing Strategy

Reference:	100/4 5612/18
Report Author:	Administration Officer (Meetings)
Authoriser:	Group Manager Corporate and Community
Link to Community	
Strategic Plan:	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

PURPOSE

Councillor Whipper has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 10 June 2020:

The Deputy General Manager Corporate Strategy and Development addressed Council on this item.

MOTION moved by Clr L A C Whipper and seconded by Clr I M Scandrett

- 1) THAT Council write to the Premier raising concern about the refusal of Council's request by Minister Robert Stokes (Minister for Planning) to allow for natural Justice to be afforded to residents of our shire, who have been restricted in their ability to participate in meaningful consultation due to restrictions imposed by the government due to Covid-19.
- 2) THAT due to being prevented from adequately engaging our community in genuine consultation in relation to our Local Strategic Planning Statement and Local Housing Strategy; that Council resolve to defer the Local Housing Strategy until such time as our LSPS is finalised by the Department of Planning.
- 3) THAT Council defer our LHS until such time as our LSPS is endorsed by NSW Department of Planning and then then re-engage and consult with our community in preparation of our Local Housing Strategy.

ON BEING PUT TO THE MEETING VOTING ON THE MOTION WAS TIED AT FOUR VOTES ALL, THEREFORE MAYOR GAIR USED HIS CASTING VOTE AND VOTED IN THE NEGATIVE. THE AMENDMENT WAS LOST

Councillors Whipper, Scandrett, McLaughlin and Halstead OAM requested their dissenting vote be recorded.

18.3 Notice of Rescission Motion 8/2020 Seniors Housing at Wiseman Road, Bowral

Reference:	100/5 5901/63 PN 1701417
Report Author:	Administration Officer (Meetings)
Authoriser:	Group Manager Corporate and Community
Link to Community	
Strategic Plan:	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

PURPOSE

Councillors Turland, Nelson and Andrews have given notice that it is their intention at the Ordinary Meeting of Council on 10 June 2020 the following motion of rescission will be moved:

THAT Council not proceed with the Planning Proposal to enable an additional permitted use of seniors housing on the combined site area of 6 Wiseman Road Bowral (Lot 4 DP 829578) and 8 Wiseman Road Bowral (Lot 1000 DP 1117715) by means of an amendment to Schedule 1 (Additional Permitted Uses) of Wingecarribee Local Environmental Plan 2010, nor with the accompanying draft Development Control Plan Amendment.

MINUTES OF THE ORDINARY MEETING OF COUNCIL

Wednesday 10 June 2020



MN 208/20

MOTION moved by Deputy Mayor G M Turland and seconded by Clr P W Nelson

THAT the motion passed by Council on 27 May 2020, being item number 12.2 Post Exhibition Report - Planning Proposal and Draft Development Control Plan Amendment for Seniors Housing at Wiseman Road Bowral minute number 170/20, be rescinded.

PASSED

VOTING ON THE MOTION

For the motion: Clr G J Andrews, Mayor Clr T D Gair, Clr K J Halstead OAM, Clr P W Nelson, Clr I M Scandrett and Deputy Mayor G M Turland

Against the motion: Clr G McLaughlin and Clr L A C Whipper

MN 209/20

MOTION moved by Clr P W Nelson and seconded by Clr G J Andrews

1. ***THAT*** the Planning Proposal to enable an additional permitted use of seniors housing on the combined site area of 6 Wiseman Road Bowral (Lot 4 DP 829578) and 8 Wiseman Road Bowral (Lot 1000 DP 1117715) by means of amendment to Schedule 1 (Additional Permitted Uses) of Wingecarribee Local Environmental Plan 2010, be forwarded to the NSW Department of Planning, Industry and Environment for finalisation.
2. ***THAT*** the draft Development Control Plan for the Wiseman Road Precinct, as exhibited, be adopted.

PASSED

VOTING ON THE MOTION

For the motion: Clr G J Andrews, Mayor Clr T D Gair, Clr K J Halstead OAM, Clr P W Nelson, Clr I M Scandrett and Deputy Mayor G M Turland

Against the motion: Clr G McLaughlin and Clr L A C Whipper

MINUTES OF THE ORDINARY MEETING OF COUNCIL

Wednesday 10 June 2020



19. CLOSED COUNCIL

Nil

There were no items dealt with in closed council at this meeting.

20. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.25 PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Wednesday 10 June 2020 numbered M/N 189/20 to M/N 209/20 were signed by me hereunder at the Council Meeting held on Wednesday 24 June 2020.

CHAIRMAN

READ AND CONFIRMED ON WEDNESDAY 24 JUNE 2020

CHAIRMAN

PUBLIC OFFICER